

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

BISHOP, RUBEN DE WAYNE

PLAINTIFF

v.

No. 1:05CV165-M-D

THE UNITED STATES, INC.

DEFENDANT

MEMORANDUM OPINION

This matter is before the court, *sua sponte*, for consideration of dismissal. The plaintiff, lists as sole defendant “The United States, Inc.” The plaintiff states that he is entitled to more than \$20,000,000.00 in damages, but he does not recite sufficient facts for the court to determine the reason the plaintiff believes he is entitled to damages. After carefully considering the contents of the *pro se* complaint and giving it the liberal construction required by *Haines v. Kerner*, 404 U.S. 519 (1972), the court finds that the instant complaint must be dismissed as frivolous and delusional.

The complaint contains no facts whatsoever as to how he plaintiff was allegedly wronged, and has no information about how any of the defendants are connected to whatever the plaintiff believes the acts were. A complaint lacks an arguable basis in law if it is “based on an indisputably meritless legal theory,” such as if the defendants are clearly immune from suit or if the complaint alleges the violation of a legal interest that clearly does not exist. *Neitzke v. Williams*, 490 U.S. 319, 327, 198 S.Ct. 1827, 1833, 104 L.Ed.2d 338 (1989). Courts have “the unusual power to pierce the veil of the complaint’s factual allegations and dismiss those claims whose factual contentions are clearly baseless Examples . . . are claims describing fantastic or delusional scenarios” *Id.*, 490 U.S. at 327, 328. The plaintiff’s contentions are

unquestionably examples of “fantastic or delusional scenarios.” As such, they shall be dismissed.

A final judgment in accordance with this opinion will be entered today.

THIS the 10th day of November, 2005.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE